

president of the sugar trust, who succeeded Mr. Havemeyer as such and who at the time this letter was written represented the New England stockholders on the company's board of directors. Mr. Thomas has been under subpoena in the present trial, but for some reason the Government has decided not to call him as a witness.

Another letter produced from one of the 15,000 letter press copy books containing the writings of Charles R. Heike and read to the jury was addressed to Mr. Gerbracht, the manager of the Williamsburg refinery and one of the defendants in the present case. This letter was dated September 24, 1897, and had to do with the adjustment of an insurance policy on the sugar.

NO HARM IN SHOWING THOSE WEIGHTS

DEAR MR. GERBRACHT: The clerk of the insurance inspectors who went over to your refinery to see the weight books of the steamship Indiana came back with the report that the weight books had all been destroyed, and when he expressed surprise that they could not be seen by him he was told that it would require a special annex to be built if we were to keep the weight books for inspection. As the Indiana did not arrive until September 13, which was ten days ago, it seems at best that the annex would be very small to keep weight books for ten days, and as these were the duties paid on the sugars there could be no harm in showing the weights to the insurance inspectors.

The cargo referred to in this letter was a cargo of Hawaiian sugar upon which no duty was paid, and as there were no Government weights taken.

An interesting paragraph in the same letter, not, however, to do with weights, had reference to an attempt to scuttle the sugar ship, the *Portland*, that Mr. Heike wrote that he was well aware that such an attempt had been made, but that the captain had reported that the sugar had not been damaged as "the water did not reach the sugar." The protest which he filed here in New York to account for the damage, wrote Mr. Heike, "stated that it was due to extremely rough weather on the passage to New York, and that the water got in through the hatches and along the masts. It was to verify these statements that the insurance men ought to have seen the ship. They asked me to see the weight books, because the weight books showed the draughts might be lighter than others, which would indicate that some of the bags were empty of stock and washed out, which is a very good evidence of scuttling."

MAKING THE WEIGHTS FIT

In order to show that the accounts of the company in the general clearing house in Wall Street did not balance until figures representing the false weights were inserted the Government put on the stand an expert, the port of Heike, who had reconstructed the so-called technical statements, the originals having disappeared from the books which the Government had been able to get hold of. It was shown that the figures in the technical statements, showing the sugar received and the sugar refined, the false Government weights had been used in the case of all sugar from Java. The company bought the sugar from Java at voice at point of shipment, but on its landed weight. The sugar from Cuba was bought on invoice weight, the weight taken in Cuba, and in such cases this invoice weight was used in the technical statement. But the technical statements using the false weights for Java sugars had to be fixed up later by the insertion of the difference between the false weight and the true weight which the company paid for, else they would not fit.

In behalf of Mr. Heike, Mr. Stanchfield wanted to know how, since the technical statement included both dutiable and non-dutiable sugar, the company could have been aware of the frauds they covered. Mr. Stimson replied that if the figures had been taken for dutiable sugar alone without the others the results would have been more convincing than they were. The Court overruled the objection of Heike's counsel and admitted all of the statements so constructed from the years 1893 to 1909.

MORE NEW EVIDENCE THAN RAIL

Following this statement a chart full of waving lines was shown to the jury. It had been made up by Joseph Gerbracht, an accountant. It was designed to show how absurd to any one were the figures based on the false weight for sugar. It showed, for instance, that in every year from 1893 to 1909, the period covered by the chart, the Williamsburg refinery turned out more refined sugar, based on the figures on its labels, than the intake of raw material. The percentage of gain, shown by a waving line, rose and fell in each year. In the year 1905 it reached its high water mark. The refinery was then showing a gain of 100 percent. In 1906 it went down somewhat. Early in 1907 it rose again. The items were segregated by lots. On no lots were there gross losses shown. As a matter of fact, the refinery was showing a gain, up until the fall of 1907, when it appeared on the docks and the game stopped, gains were shown, not losses. But from that time on, in 1908 to 1909, there were no gains at all. It was always a loss then. Raw sugar never made a profit, but refined and instead of gains there were losses frequently of 3 percent.

THE RED INK AMENDMENTS

It was Joseph P. Montgomery, a clerk employed in the Wall Street office, who took about the investigation of the red ink figures at 117 Wall street, where the books balance every month. Montgomery, an old employee, was known as the melting clerk. He handled all the figures for the melting of sugar in the Williamsburg refinery, and he identified those who took those figures for the years from 1901 to 1908. Every day he got from the refinery its melting report, showing the raw sugar it had received, its quality, weight, value and weight. For Java sugar they were the false Government weights. Montgomery said that every day he showed these figures to Mr. Heike. Then at the end of a month he collected them in a monthly statement. The Otto T. Schmelers, a ledger clerk in Mr. Heike's office, Montgomery said, would give him a set of additional monthly figures of the weights on each of the different cargoes and he would then write in these weights and the values they represented in red ink on his statement. Schmelers, whom the Government expected to have as one of its most important witnesses, has been very ill for two months, and he testified at the trial in which the sugar trust as a corporation was convicted of robbing the Government.

The insertions which Montgomery made for the Java sugar were shown in a tabulated statement which he identified. These were some of the figures for 1907, as about the time that the frauds were discovered:

Date	Original	Corrected	Value
February 2	1,582,500	1,235,425	\$22,500
September 26	18,245,345	725,745	25,000
December 23	1,582,500	1,235,425	25,000

Schmelers, Montgomery said, with the figures handed him also a memorandum which instructed him to change his monthly recapitulation by the addition of these figures. This done, he said, he would hand them to Mr. Heike. In 1908, he said, no figures were given to him and no additions were made. The frauds had stopped then.

"Did you show to Mr. Heike these statements before or after the additions in red ink were made?" asked Mr. Denison for the Government.

Montgomery replied that it was always after he had inserted the red figures that he got from Schmelers. He said that among his duties he had to get the current prices of raw sugar and put them opposite each entry of the sugar. This was done each day of the ship that came over from the Williamsburg refinery showing the raw sugar received.

ORDERS FROM HEIKE

Who furnished you with these prices for raw sugar?" he was asked.

"Mr. Heike did," he was asked.

W. R. Bryant, a clerk in the Wall Street office, testified that on March 9, 1909, he had been instructed to destroy a package of technical statements that was in the office. The package was 8x12 inches in size.

"Who gave you these instructions?" he was asked.

"It did it at the direction of Mr. Heike,"

replied the witness. Bryant, it seems, had kept a little book in which he had memoranda of the papers in his custody. On this book appeared "Destroyed by order of C. R. H. Technical statements 1909, March 9, 1909."

Arthur P. Wollam, another clerk in Heike's office, said that in December, 1909, Mr. Heike had handed him a similar package of technical statements for the year 1908 for all refineries and had told him to destroy them. On cross-examination Mr. Blanchfield got Wollam to admit that it was the custom to destroy such statements after they had been kept a year.

Some of Heike's fifteen thousand letter books were identified by another clerk, William R. Foster. Mr. Stanchfield, for Heike, wanted to know of Foster if Heike wasn't known as the letter writer of the company. "He was a very prolific letter writer," replied the witness.

A success of letters was read by the Government attorneys from these books, the object being to show the close track Mr. Heike kept of the figures from all refineries and every detail of that end of the business. Most of the letters were addressed to the superintendents of refineries. Many of them were filled with complaints that more sugar wasn't being turned out. In one letter addressed to Mr. Witherpoon in October 9, 1903, Mr. Heike said that he had received a letter from Mr. Witherpoon in which the latter said that he had been unable to comprehend the instructions coming from the office and asked that there be no confusion between Mr. Havemeyer's instructions and those of Mr. Heike. To this Mr. Heike replied:

"The bookkeeping of the company involves details which Mr. Havemeyer is not interested, but he is interested in results."

Another letter declared that the actual loss by shrinkage on Java cargoes of sugar should not be over 1 percent. This letter was introduced evidently with the purpose of upsetting any contention that the difference in weight was due to shrinkage, a statement which has been made. All the letters were read over the objection of Mr. Stanchfield for Heike and the lawyers for Gerbracht in those cases in which the letters referred to that defendant.

In the case of the charts showing the output of the refineries Mr. Stanchfield raised the objection that it was intended as a "picture of guilt," which could only have been known to Heike if at all by figures of very careful nature. The introduction of such a chart, described as "graphic" by Heike's lawyers, was declared to be wholly unfair to that defendant. The defense made the point that if the jurors were to reach a conclusion unfavorable to Heike they ought to do it from the figures themselves without any such aids. The Government said that similar charts had been introduced in other criminal cases. To decide the point Judge Martin took a recess of a few minutes. When he resumed he announced that after consultation with an associate he had decided to admit the Government exhibits.

The Government announced at the end of yesterday's session that it had only a very few more witnesses to call and would close its case this morning.

James O. Bruns, the former special employee of the Treasury Department, indicted for perjury in the sugar underweight case, found \$5,000 bail yesterday and was released from the Tombs.

HER HUSBAND BROKE HIS NECK.

Fell From a Window After Mrs. Geitman Hit Him With a Rolling Pin.

The squeaking of a loose board in the kitchen floor of her Delancey street flat startled Mrs. Dora Geitman from sleep about 3 o'clock yesterday morning. She listened a moment, then prepared to go to sleep again thinking the cat had moved the board in its prowling.

Before she got drowsy she heard a noise that no cat could make. It was a jingling of coins and it came from the direction of her husband, Joseph's, trousers which were hanging over a chair near the bedroom door. Mrs. Geitman joggled Joseph, but he continued to sleep. He remained asleep through all that followed.

She was scared, but she didn't intend to allow thieves to run away with Joseph's money, which was her money. She dropped a hand to the floor and grasped an iron cupboard, then raised herself quietly in bed and peered through the darkness. A figure was just discernible near the doorway. She let fly with the cupboard and a grunt testified to the accuracy of her aim.

The burglar, who was in his stocking feet, backed away toward the kitchen. Mrs. Geitman then threw a gas lamp, she knew exactly where the family rolling pin was lying by the breadboard on the kitchen table and as she ran she caught it. She could see the burglar plainly as he dodged about the kitchen and she went for him with a rush. Mrs. Geitman is a big woman and her arms are strong. She hit the thief over the head with the rolling pin before he had time to slide out of the window opening on the fire escape and she followed up the blow with others that made him uneasy.

He struck at her several times, twice hitting her in the face with his fist, leaving marks that she showed rather proudly yesterday, but he was no match for her in a rough and tumble fight. The first blow over the head that he got most have confused him, because when he finally jumped out of a window he selected the wrong one. He fell through the window and landed on the concrete paving of the alleyway told her what had happened. The burglar had fallen thirty-five feet or more.

She went back to the bedroom and managed to get Joseph awakened. Joseph went out and got Policemen Enners who went to the rear of the tenement 286 Delancey street, where the Geitmans have a flat on the third floor. Enners found a mangled man on the airshaft. His neck was broken and his skull was fractured.

There was a card in one of his pockets, several pawn tickets and a letter addressed to "Mr. Glatsch." The police found a painter named Solomon Rosenkranz, who said that a painter named Louis Glatsch had lived with him at 138 Eldridge street until two weeks ago and then had disappeared with some of his effects. He was sure that the dead man was Louis Glatsch.

Mrs. Geitman was not arrested.

BELLE MOORE SENTENCED.

Gets 2 to 5 Years—No Real "White Slavery" Shown, Says Court.

Belle Moore, the negro convicted for procuring two white women for an investigator in the "white slave" inquiry, was sentenced yesterday by Judge Crain in General Sessions to not less than two years and six months nor more than five years in State prison. A stay of execution of the sentence pending the argument for a certificate of reasonable doubt was granted. Argument will be heard by Justice Erlanger in the Supreme Court next week.

In sentencing Belle Moore Judge Crain said that "white slavery" as popularly understood had not been shown in this case. The women had not been coerced. No fine was imposed, as the Court believed that the case lacked features of aggravation.

The contempt proceedings against Alexander Karlin, the woman's lawyer, were dismissed with a rebuke from the Court.

Lieut. Griffith's Sentence of Dismissal Commuted.

ALBANY, May 26.—Gov. Hughes today commuted the sentence of dismissal from the State Naval Militia imposed upon Lieut. Walter R. Griffith, Second Battalion, Brooklyn, who was found guilty of being intoxicated while on duty on the steamship Robert Fulton during the Hudson-Sullivan celebration last October. Griffith will have to pay a fine of \$100 and be reprimanded. The court-martial recommended clemency for Griffith, who had admitted the truth of the charges.

RACETRACK BILLS PASSED

ONE MAKES DIRECTORS OF TRACKS LIABLE FOR GAMBLING.

The Assembly Passes the Senate Bill Prohibiting Bookmaking orally or otherwise. The bill prohibiting publication of racing odds may not pass.

ALBANY, May 26.—The Senate and Assembly today put the screws finally on racetrack bookmaking when the most important of the series of Agnew-Perkins racetrack bills were passed and sent to Gov. Hughes. In the Senate Senator Agnew succeeded in having the Senate rules suspended and the Perkins bill, repealing the section of the Percy-Gray law which relieves from liability directors of racetracks which post signs prohibiting gambling, was passed by a vote of 49 yeas, 15 nays.

Later the Assembly received the companion liability bill, which brings racetrack under the provisions of the anti-gambling law and carries out specifically the purposes of the Perkins bill and which has been amended in the Senate. There were objections to concurring in these amendments, and this bill was referred to the Rules Committee. The bill prohibiting the publication of racing odds is still in the Senate Codes Committee and is not likely ever to get out of it.

The Assembly today, and finally passed the most important of these racing reform measures, which is aimed to prohibit bookmaking orally or otherwise. This bill Senator Agnew took up in the Senate and substituted his own bill for it after it had been amended to prohibit the making of book on the tracks "with or without writing." The vote on the bill was: Yeas, 49; nays, 45. The bills go into effect on September 1.

Former Lieut. Gov. Lewis Stuyvesant Chanler, the present Assemblyman from Dutchess, Minority Leader Friebe and Assemblyman Harwood of Kings, Shortt of Richmond, Abbey of Ontario and Evans of Sullivan, Democrats, voted for the bill, while Assemblymen R. H. Clarke of Kings, Conklin of Manhattan, Laehman of Kings and Nolan of Albany, Republicans, voted against the bill.

When the opponents of the racetrack bill in the Assembly realized that their efforts against what they have characterized as ignorant interference on the part of reformers who don't know anything about actual racetrack betting, were in vain, they were hot. Assemblyman Clarke of the Sheepshead Bay district got the first verbal whack at the measures. He began by declaring that Senator Agnew "is one of the smallest men in the State Senate," whereupon Speaker Wadsworth reminded Mr. Clarke that he would have to keep within the limit of parliamentary language.

Mr. Clarke insisted that reformers were merely playing to the galleries; that they didn't care how many thousands of dollars were lost by gamblers, but they were going to be ruined and that "some of these fellows who come around here every year and hang out, boosting their own fake reform game, ought to stay home and mind their own business and not come in here and make the present laws are enforced."

Mr. Clarke offered an amendment to eliminate the provision prohibiting the making of book "with or without writing." Assemblyman Al Smith said he didn't think Senator Agnew or Mr. Perkins or Canon Chase or Gov. Hughes really knew what bookmaking was. Mr. Smith said that under this bill it wouldn't be safe for a man to walk around a racetrack and speak to his friends.

"The only thing you can do if you want to walk around and gossip between the races," declared Mr. Smith, "and don't want to be looked up on suspicion that you are making book 'with or without writing' is to talk out loud all the time so some of these fake reformers will know you are not soliciting or accepting odds. I tell you the gamblers are getting sick and tired of this fake reform. Why don't you go further and stop the gambling in Wall Street?"

Mr. Perkins thinks if an amendment which provides for a long and short session of the Legislature, the latter to consist of not more than forty days in even numbered years, and amend the law to give the Legislature authority to pass only appropriation and State department bills during the short session.

The Assembly passed Senator Big Tim Sullivan's bill incorporating "The World Bill," which has been seen in the Legislature for several years. The Assembly also passed Assemblyman J. S. Phillips' bill applying the corrupt practices act now applicable to election to the primaries throughout the State.

ELECTION BILL PASSED.

It Provides for a More Minute Identification of Voters in This City.

ALBANY, May 26.—The Senate passed today by a vote of 32 to 12 Assemblyman Ward's bill providing for a more minute identification of voters in New York city and making possible the reduction of the number of voters in a district. This is another of the series of the Herbert Parsons bills that have been before the Legislature for the past few years.

By a vote of 22 to 18 the Senate refused to discharge the Judiciary Committee from Senator Burlington's eighty-eight gas bill for Gravesend. It required twenty-six votes to discharge.

Nominations by Gov. Hughes.

ALBANY, May 26.—Gov. Hughes today sent the following nominations to the Senate for confirmation: State Commissioners of Prisons—Simon P. Quirk of Westchester, Edgar A. Newell of Ogdensburg, Francis C. Hudson of New York, Henry Dolan of New York city, all appointments and Frank E. Wade of Buffalo to succeed Dr. Charles F. Howard, resigned.

Trustees of Washington's Headquarters Almon C. Wells, reappointed, and the Rev. Dr. Michael Stalter, Newburgh, and Rev. Howard Thornton, term expired. Manager of the State Agricultural and Industrial School—John E. White of Rochester for a term to expire in 1913, to succeed William Rauch.

Commissioner of the State Board of Charities—From the Fourth Judicial District—Richard L. Hand of Elizabethport, reappointed; from the Sixth Judicial District, Frank C. Fetter of Ithaca to succeed Ralph W. Thomas, resigned.

Manager of the Mohawk State Hospital—Perry J. Fay of Mount Kisco for a term to expire December 31, 1914, to succeed Valentine E. Macy, who could not serve.

Brick Hits Detective in Tailcoat.

Patrick Corbett, 28 years old, a private detective of 124 Duffield street, is in the Brooklyn Hospital with what is believed to be a fracture of the skull, suffered early yesterday morning by being struck with a brick when he was riding in a vehicle of the Green Taxi Company. The company's car was on its way to the Monday and Corbett was on strike the driver of the taxicab. It was surrounded by a crowd of supposed strikers and their friends in Flatbush avenue near Nevins street. The brick, hurled from the crowd, struck Corbett on the head.

The Wall Street "Evening Sun."

The Wall Street edition of THE EVENING SUN contains all the financial news and the stock and bond quotations to the close of the market. The closing quotations, including the "bid and asked" prices, with additional news matter, are contained also in the night edition of THE EVENING SUN.

MR. STOKES ISN'T SATISFIED.

Milwaukee Election Not a Real Socialist Victory to Him.

The dinner which the Collectivists gave last night at Kall's to celebrate the Milwaukee victory was not by any means an occasion of unimpaired rejoicing.

Prof. Charles Fagnani of Union Theological Seminary, who presided, seemed to take an optimistic view of the situation, but J. G. Phelps Stokes seemed to grow increasingly gloomy as Prof. Fagnani proceeded. When his turn came to speak he said that it was a great grief to him to be obliged to seem to cast any reflections on the achievements of the Milwaukee comrades, but honor compelled him to confess that he didn't think there was any such thing as a Milwaukee victory.

He went on to explain that the Milwaukee Socialists had compromised with capitalists. He even read quotations from their election speeches which declared that small business men need not fear because the Social Democratic party didn't object to reasonable profits.

"Is this socialism?" demanded Mr. Stokes. "Do men who utter such sentiments have clear visions? I say they have not. They are mere reformers, not socialists at all."

The Collectivists applauded Mr. Stokes when the chairman called "time," but several of them didn't agree with him.

Rose Pastor Stokes got the floor later and said that she thought the dinner had misinterpreted her husband and that therefore they had missed the whole point of the discussion.

"Of course," she said, "we know that it is necessary to make the present system make some compromise with capitalism. We can't prevent manufacturers and merchants from taking unearned profits. But when we go so far as to say that it is right for them to take these profits, as I think I did, guilty of something very like treachery."

Mrs. Corinne Brown of Chicago said that all she wanted to say was that Victor Berger was the greatest man in the United States and that Milwaukee Socialists were the best socialists anywhere in the world. She thought that only jealousy could lead any one to deny the victory.

When she sat down she turned her back upon Mr. Stokes, who smiled and said: "The Rev. Eliot White of Port Chester said that it was just as impossible to be a real socialist as it was to be a real capitalist, but that he thought it was a good thing to keep people in the Socialists party and educate them, just as it was a good thing to keep people in the Church and try to make them good."

MAURETANIA IN LATE.

John E. Sullivan, W. J. Chalmers and Henry White Abner.

Among the passengers who arrived late last night on board the Mauretania, from Liverpool and Queenstown, was W. J. Chalmers of Chicago, hurrying home to see his daughter, who is ill. Mr. Chalmers, on receipt of a cable message at Carbis, started with his wife to take passage on the Mauretania, but was obliged to hire a special steamer from Fishguard to Rosslare, and then a special train to get him to Queenstown, where he caught the steamer with three hours to spare. He did not land last night.

Other passengers were J. J. Van Allen, Harrison Ballantyne, E. A. Bancroft, B. Ogden Chalmers, Col. M. C. Fleischman, L. E. F. Fournier, Mrs. Henry C. Frick, Robert Hartshorne, Morris Jones, Spencer Kellogg, Jr., Cecil Lightfoot, Assemblyman Al Smith, W. D. Reid, Capt. J. Franklin Silver, Arthur Stanley, M. P.; John L. Sullivan, Sir William H. White, K. C. B. and the Hon. Henry White.

The ship did not dock last night.

FOR LONG AND SHORT SESSIONS.

Assembly Passes Two More of Dana's Constitutional Amendments.

ALBANY, May 26.—The Assembly today adopted two of Assemblyman Charles A. Dana's proposed constitutional amendment resolutions. They provide for a long and short session of the Legislature, the latter to consist of not more than forty days in even numbered years, and amend the law to give the Legislature authority to pass only appropriation and State department bills during the short session.

The Assembly passed Senator Big Tim Sullivan's bill incorporating "The World Bill," which has been seen in the Legislature for several years. The Assembly also passed Assemblyman J. S. Phillips' bill applying the corrupt practices act now applicable to election to the primaries throughout the State.

ELECTION BILL PASSED.

It Provides for a More Minute Identification of Voters in This City.

ALBANY, May 26.—The Senate passed today by a vote of 32 to 12 Assemblyman Ward's bill providing for a more minute identification of voters in New York city and making possible the reduction of the number of voters in a district. This is another of the series of the Herbert Parsons bills that have been before the Legislature for the past few years.

By a vote of 22 to 18 the Senate refused to discharge the Judiciary Committee from Senator Burlington's eighty-eight gas bill for Gravesend. It required twenty-six votes to discharge.

Nominations by Gov. Hughes.

ALBANY, May 26.—Gov. Hughes today sent the following nominations to the Senate for confirmation: State Commissioners of Prisons—Simon P. Quirk of Westchester, Edgar A. Newell of Ogdensburg, Francis C. Hudson of New York, Henry Dolan of New York city, all appointments and Frank E. Wade of Buffalo to succeed Dr. Charles F. Howard, resigned.

Trustees of Washington's Headquarters Almon C. Wells, reappointed, and the Rev. Dr. Michael Stalter, Newburgh, and Rev. Howard Thornton, term expired. Manager of the State Agricultural and Industrial School—John E. White of Rochester for a term to expire in 1913, to succeed William Rauch.

Commissioner of the State Board of Charities—From the Fourth Judicial District—Richard L. Hand of Elizabethport, reappointed; from the Sixth Judicial District, Frank C. Fetter of Ithaca to succeed Ralph W. Thomas, resigned.

Manager of the Mohawk State Hospital—Perry J. Fay of Mount Kisco for a term to expire December 31, 1914, to succeed Valentine E. Macy, who could not serve.

Brick Hits Detective in Tailcoat.

Patrick Corbett, 28 years old, a private detective of 124 Duffield street, is in the Brooklyn Hospital with what is believed to be a fracture of the skull, suffered early yesterday morning by being struck with a brick when he was riding in a vehicle of the Green Taxi Company. The company's car was on its way to the Monday and Corbett was on strike the driver of the taxicab. It was surrounded by a crowd of supposed strikers and their friends in Flatbush avenue near Nevins street. The brick, hurled from the crowd, struck Corbett on the head.

Going to Be Among The Decoration Day "Go-aways"?

There's all good sorts of men's apparel here to help lend comfort to the outing—

Blue Serge Suits, straw hats, auto dusters, caps, silk shirts, belts, flannel trousers, swimming suits, hose, underwear, scarfs, and a splendid "grip" or kit bag to pack them into.

WM. VOGEL & SON
Two Broadway Stores (At Houston Street At 44th Street)

GOV. HUGHES DEFEATED AGAIN

Continued from First Page.

made the point that the bill had not been reported from the Revision Committee and the Chair held the point well taken. Senator Cobb tried to get unanimous consent that the bill be taken up on the order of final passage, but there was objection. He announced that he would have a meeting of the Committee on Rules bring in a rule permitting the consideration of the bill forthwith and he had the Senate take a recess for an hour so that the committee could meet for that purpose.

After the recess the Rules Committee brought in a special rule permitting the immediate consideration of the Hughes-Cobb compromise and the Senate adopted the rule by a party vote, except that Senator Brackett voted with the Democrats. The bill was passed by a party vote of 41 yeas, 19 nays, and 10 absentees.

Montgomery voted with the Republicans and Brackett of Saratoga with the Democrats, Senators T. D. Sullivan, Grady and Harden being absent.

"This is neither a fish, flesh nor fowl," declared Senator Brackett, in explaining his vote. "Direct primaries are either right or wrong. I respect the views of Senators Davenport and Hinnman, but I think they are wrong on this question. I certainly believe that those who can vote for this bill should vote for the Hinnman-Green bill."

Senator Davenport said that this compromise bill represented common ground and meant political progress and that it was a fair and just compromise measure. Then the bill was hurried over to the Assembly.

At this juncture Gov. Hughes's secretary, Mr. Fuller, went to the Assembly clerk's desk and asked that the Meade-Phillips bill be sent down to the Executive chamber. Of course he did not say that the Governor wanted to vote it right away. Mr. Fuller was told that the bill was being engrossed, and that it would be sent down to-morrow afternoon as soon as this work was completed, it being quite a lengthy document.

Gov. Hughes personally recognized the improbability of telling the Legislature what he intended to do with a bill before he got it, but Secretary Fuller's failure to get the bill when he went for it precipitated the Governor's action. He was sent immediately after Mr. Fuller returned to the Executive chamber without the Meade-Phillips measure.

Although the Senate yesterday passed the Meade-Phillips primary reform bill, it was not sent to the Governor until to-morrow, as it must be engrossed in its final form first. Mr. Fuller, secretary to the Governor, personally went to the Assembly chamber to get the bill and when he reached him, the message was read in each House and then tabled without comment, except that Senator Cullen, who was acting minority leader, declared that never before in his experience had he seen a Governor to announce what action he would take on a bill that has passed the Legislature before the measure reached him.

In his message to the Legislature Gov. Hughes said:

I am informed by temporary President Cullen of the Senate that the Meade-Phillips bill was yesterday passed in the Senate, and having previously been passed in the Assembly will come before me for action. The bill has not yet reached the Executive Chamber and it may not come into my hands before your adjournment.

I have examined the provisions of this bill and I deem it important that before the adjournment of your honorable body you should be advised of my views with respect thereto and of the fact that for the reasons stated below the bill will not receive my approval. The bill to which I have referred is not a grant of a new privilege, but it provides for State wide enrolment, but it gives to the enrolled voter who does not make politics his vocation want opportunity for effective participation in the decisions of his party.

It provides for an official primary ballot, but its provision is of a sort to facilitate domination by party managers, and thus to protect the status quo, and to prevent the voters from exercising their right of choice through the control of the nomination of party candidates to make the administration of government serve the interests of themselves and their allies.

This measure is in the interest of a system which experience condemns, and fails to give promise of relief from methods which have caused widespread and constantly increasing protest. Its good provisions are offset by those that are bad. Instead of putting party managers under suitable check and giving to the party voters the decisive voice, it places the party voters in the virtual control of the party managers.

The test is found in the situation of the enrolled voters on primary day. Under this bill what the enrolled voter do with the elaborate machinery that is provided for the primary? Can he express his choice as to a single candidate of his party for public office? Not one. Can he say what he desires to be the party candidate for a State office, or for election to Congress, to the State Senate or Assembly, or even to any of the offices within his own county? Not at all. He is invited to participate in the selection of a host of delegates about whom in ordinary cases he will know nothing, and of whose choice of candidates he has no satisfactory assurance. Upon the official ballot he will find:

Delegates to State convention, delegates to Congressional convention, delegates to judicial district convention, delegates to Senatorial district convention, delegates to county convention, delegates to Assembly district convention, delegates to city convention, delegates to any other convention in such order as the custodian of primary records shall determine, in addition to members of committees.

The voter's rights, with all this complicated mechanism ostensibly for his protection, come to the selection of these intermediaries who, as experience shows, are generally the mere counters of political leaders.

This is designed to facilitate strategies

Cammeys

Stamped on a Shoe means Standard Merit